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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/603,789

06/26/2003

Yohei Hirokawa

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DICKSTEIN SHAPIRO LLP  
1177 AVENUE OF THE AMERICAS (6TH AVENUE)  
NEW YORK, NY 10036-2714

EXAMINER

HAQ, MOHAMMAD AAMIR

ART UNIT

PAPER NUMBER

2614

MAIL DATE

DELIVERY MODE

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/603,789

**Applicant(s)**

HIROKAWA, YOHEI

**Examiner**

Aamir Haq

**Art Unit**

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 June 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 - 11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 - 11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Specification***

1. The abstract of the disclosure is objected to because the abstract states the word "sale" instead of "scale." Correction is required. See MPEP § 608.01(b).

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 1 recites the limitation "the wireless part" in the third paragraph. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 – 7 and 9 – 11 are rejected under 35 U.S.C. 102(b) as being anticipated by US 6,853,911 (Sakarya).

**As to claim 1**, Sakarya teaches a data terminal device comprising:

- a position data receiving part for receiving position data transmitted from an artificial satellite (see "GPS" in col. 1 lines 8 – 12, col. 2 line 8, and col. 5 line 49, and col. 8 lines 38 - 43);

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- a wireless unit for transmitting and receiving data with respect to a base station (see “base station” in col. 3 lines 12 – 18, col. 5 lines 51 – 56, col. 8 lines 46 – 48);
- a detailed map data memory (col. 3 lines 24 – 31 and col. 5 lines 35 – 37) for storing detailed map data received by the wireless part (see map in fig. 2);
- scale determination part (col. 8 lines 4 – 19) for determining the scale of the road map according to a plurality of position data received a plurality of times (col. 8 line 39) by the position data receiving part;
- and a display part (col. 5 lines 37 – 38) for displaying the road map of the scale determined by the scale determining part and detailed map data stored in the memory part (see fig. 2 and col. 8 lines 4 – 19).

**As to claim 2**, Sakarya has been discussed above. In addition, Sakarya teaches storing the road map in a plurality of different scales (col. 8 lines 4 – 19 and col. 3 lines 45 – 51).

**As to claims 3 and 11**, Sakarya has been discussed above. In addition, Sakarya teaches road map data for displaying the road map is stored in the road map server connected to the network with the base station connected thereto, the wireless part receives, via the base station, the road map data stored in the road map server, and the road map is displayed based on the road map data received by the wireless part (col. 3 lines 17 – 31).

**As to claim 4**, Sakarya further teaches that the scale determining part predicts a moving range based on a plurality of position data received (col. 8 lines 4 – 57 and col. 9 lines 16 – 29).

**As to claim 5**, Sakarya further teaches computing a moving speed (see “velocity” in col. 8 lines 4 – 19)

**As to claim 6**, Sakarya further teaches predicting a range that can be covered (col. 8 lines 4 – 19 and 38 – 55 and col. 6 lines 26 – 30)

**As to claim 7**, Sakarya teaches receiving the map data of a necessary area as the user is moving (col. 3 lines 18 – 30).

**As to claim 9**, Sakarya has been discussed above. In addition, Sakarya teaches receiving detailed map data only with respect to the moving direction determined by the moving direction determining part (col. 3 lines 18 – 30).

**As to claim 10**, Sakarya further teaches determining the route for the present position to a desired spot (col. 8 lines 4 – 57 and col. 9 lines 16 – 29).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over US 6,853,911 (Sakarya) in view of US 6,836,728 (Shimabara).

**As to claim 8**, Sakarya has been discussed above. Sakarya does not disclose expressly superimposing images on each other. However, Shimbara teaches superimposing images on each other (Abstract, col. 2 lines 4 – 16 and col. 4 lines 35 – 48 of Shimbara).

At the time of the invention, it would have been obvious to one of ordinary skill in the art to superimpose images on each other in the display of Sakarya in view of the teachings of Shimbara. The motivation for doing so would have been to provide the user with multiple different perspectives on one screen. For example, it is common for the lower image to be a broad range of an area and for the upper image to be a detailed range specific to the area one is currently located. Thus, if a user is in New York City, the lower image could show island of Manhattan and the upper image show a more specific area, such as Time Square. This enables the user to understand where Time Square is located in Manhattan and also have a detailed perspective of Time Square on a single display.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 6,324,467 (Machii et al.)

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aamir Haq whose telephone number is 571-272-5511.

The examiner can normally be reached on Mon thru Fri 8:30am - 5pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on 571-272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



A.H.

September 6, 2007



AHMAD F. MATAR  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2700